

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

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Benjamin Mostaed, on behalf of himself and all others	:	
similarly situated,	:	
	:	
Plaintiffs,	:	
	:	No. 3:11-CV-079-REP
vs.	:	
	:	
James B. Crawford, Robert H. Foglesong, Richard M.	:	
Gabrys, Robert B. Holland, Bobby R. Inman, Dan R. Moore,	:	
Baxter F. Phillips, Jr., Stanley C. Suboleski, Linda J. Welty,	:	
Massey Energy Company, and Alpha Natural Resources,	:	
Inc.,	:	
	:	
Defendants.	:	
-----	X	

**DEFENDANTS' MOTION TO STAY PROCEEDINGS PENDING RESOLUTION OF  
THE SAME SHAREHOLDER CLASS ACTION CLAIMS PENDING BEFORE THE  
DELAWARE CHANCERY COURT**

Defendants, by counsel, for the reasons stated in the accompanying Memorandum of Law, move the Court to stay all claims pending resolution of the proceedings in the Delaware Chancery Court based on the Court's inherent powers and the principles set forth in Colorado River Water Conservation District v. United States, 424 U.S. 800 (1976).

Respectfully submitted,

ALPHA NATURAL RESOURCES, INC.

By:

/s/ Robert M. Rolfe

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Robert M. Rolfe, Counsel

Robert M. Rolfe (VSB No. 15779)  
Erin L. Barrett (VSB No. 74928)  
HUNTON & WILLIAMS LLP  
Riverfront Plaza, East Tower  
951 East Byrd Street  
Richmond, Virginia 23219  
(804) 788-8466  
rrolfe@hunton.com

Mitchell A. Lowenthal  
Boaz S. Morag  
CLEARY GOTTlieb STEEN & HAMILTON  
LLP  
One Liberty Plaza  
New York, NY 10006  
(212) 225-2000

Michael R. Lazerwitz  
CLEARY GOTTlieb STEEN & HAMILTON  
LLP  
2000 Pennsylvania Avenue, NW  
Washington, DC 20006  
(202) 974-1500

*Attorneys for Defendant Alpha Natural Resources,  
Inc.*

/s/ Timothy J. St. George

Alan D. Wingfield (VSB No. 27489)  
Timothy J. St. George (VSB No. 77349)  
TROUTMAN SANDERS LLP

1001 Haxall Point  
P.O. Box. 1122  
Richmond, VA 23218-1122  
Telephone: (804) 697-1254  
Facsimile: (804) 698-6013  
alan.wingfield@troutmansanders.com

CRAVATH, SWAINE & MOORE LLP

Stuart W. Gold

Julie A. North

825 Eighth Avenue

Worldwide Plaza

New York, NY 10019-7475

Telephone: (212) 474-1000

Facsimile: (212) 474-3700

*Attorneys for Defendants Massey Energy  
Company, James B. Crawford, Robert H.  
Foglesong, Richard M. Gabrys, Robert B. Holland,  
Bobby R. Inman, Dan R. Moore, Stanley C.  
Suboleski, and Linda J. Welty*

/s/ Stephen E. Baril

Stephen E. Baril (VSB No. 19604)

SANDS ANDERSON PC

1111 E. Main Street, Suite 2300

Richmond, VA 23219-2906

Telephone: (804) 783-7234

Facsimile: (804) 783-7291

SBaril@SandsAnderson.com

*Attorneys for Defendant Baxter F. Phillips, Jr.*

**CERTIFICATE OF SERVICE**

I certify on this 11th day of March, 2011, I filed a copy of the forgoing with the Court's ECF filing system, and thereby served a copy of this instrument to the following attorneys:

Elizabeth K. Tripodi, Esq.  
Finklestein Thompson LLP  
1050 30th Street, NW  
Washington, DC 20007

Frank J. Johnson, Esq.  
Shawn E. Fields, Esq.  
Johnson Bottini LLP  
501 West Broadway  
Suite 1720  
San Diego, CA 92101

Willie C. Briscoe  
The Briscoe Law Firm PLLC  
8117 Preston Road  
Suite 300  
Dallas, TX 75225

Patrick W. Powers  
Powers Taylor, LLP  
Campbell Centre II  
8150 N. Central Expressway  
Suite 1575  
Dallas, TX 75206

/s/ Robert M. Rolfe

Robert M. Rolfe, Counsel